United Nations S/AC.56/2017/2

Security Council

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Security Council Committee established pursuant to resolution 2140 (2014)

Note verbale dated 28 April 2016 from the Permanent Mission of Cyprus to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Cyprus to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 2140 (2014) and has the honour to transmit herewith the report of the Government of Cyprus pursuant to paragraph 10 of resolution 2266 (2016) (see annex).

17-18862 (E) 271017

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Annex to the note verbale dated 28 April 2016 from the Permanent Mission of Cyprus to the United Nations addressed to the Chair of the Committee

Report of Cyprus on the implementation of Security Council resolution 2266 (2016)

The Republic of Cyprus submits the following report to the Security Council Committee established pursuant to resolution 2140 (2014), on the implementation of the measures imposed by the Council in paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 14 of resolution 2216 (2015).

General

The Republic of Cyprus would like to reaffirm its strong commitment to the unity, sovereignty, independence and territorial integrity of Yemen, while expressing its concern at the ongoing political, security, economic and humanitarian challenges in Yemen.

On 26 February 2016, the Ministry of Foreign Affairs of the Republic of Cyprus, within the framework of its competences, informed, the relevant departments and authorities of the Republic of Cyprus of the adoption of Security Council resolution 2266 (2016), emphasizing, inter alia, the renewal, until 26 February 2017, of the measures imposed by paragraphs 11 (asset freeze) and 15 (travel ban) of Council resolution 2140 (2014) and by paragraphs 14 to 17 (arms embargo) of resolution 2216 (2015).

Asset freeze

On 10 March 2016, the Central Bank of Cyprus[1] notified all supervised entities in the Republic of Cyprus of the adoption of resolution 2266 (2016), emphasizing, inter alia, that the asset freeze measures imposed by paragraph 11 of resolution 2140 (2014) were extended until 26 February 2017.

In addition, both the updated version of the 2140 (2014) sanctions list, as well as the relevant link to the list established and maintained by the Committee established pursuant to resolution 2140 (2014),[2] were provided by the Central Bank of Cyprus to all supervised entities, while underlining the requirement to take all necessary measures for the immediate implementation of the provisions included in the above-mentioned resolutions.

[1] The Central Bank of Cyprus is the competent authority for the monitoring and supervision of the activities of credit institutions, including cooperative credit institutions, payment institutions and electronic money institutions, which are subject to the jurisdiction of the Republic of Cyprus, for the purpose of implementing the decisions and regulations of the Council of the European Union (restrictive measures) and the Security Council resolutions (sanctions).

[2] Available from https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list.

Travel ban

The competent authorities of the Republic of Cyprus, such as the Cyprus Police[3] and the Aliens and Immigration Service, have taken all necessary measures in order to include all the information on the individuals designated by the Committee established pursuant to resolution 2140 (2014) in the national "stop list" database.

Arms embargo

The competent authorities of the Republic of Cyprus, such as the Department of Customs and Excise,[4] the Department of Merchant Shipping and the Cyprus Police (Port and Marine Police Unit,[5] Directorate of Airports Security),[6] have taken all necessary measures to prevent direct/indirect transfer of weapons, ammunition or any kind of equipment related to military activities, as provided by the relevant Security Council resolutions. In this framework, ships undergo regular checks during the standard practice followed by the competent authorities of the Republic of Cyprus.

In addition, the security control systems at the airports in the Republic of Cyprus (according to European Union security standards), may detect explosives and any other item that may put the flight in danger. All checked luggage goes through an automated system, the "hot baggage screening", which detects items that may compromise the security of the flight. If there are reasonable grounds to believe that banned material may be transported, the system settings are modified and all luggage is X-rayed. All cabin luggage is manually screened (X-rayed). Regarding cargo, there is a standing order for detecting any item that may compromise the security of the flight.

Among the activities of the Cyprus Department of Customs and Excise in the fight against terrorism, is the combating of illicit trafficking of weapons explosives and weapons of mass destruction, including biological and chemical ones. In accordance with national legislation, Custom officers are authorized, inter alia, to:

- Examine goods
- Require any person or company concerned with the import, export or shipment of goods to provide any information in relation to the goods and take copies of relevant documents
- Search persons, premises, custom controlled areas, vehicles, vessels or aircrafts, in accordance with existing national legislation

[3] Joint competent authority for (a) the implementation of the prohibitions/restrictions of entry and transit within the territory of the Republic of Cyprus or transit through it by persons who are named in the appendices of the relevant Security Council resolutions (sanctions) and the decisions and regulations of the Council of the European Union (restrictive measures) and (b) for the updating of the database with respect to persons who are named in the appendices of the relevant Security Council resolutions (sanctions) and the decisions and regulations of the European Union Council (restrictive measures) and are subject to restrictions of entry and transit within the territory of the Republic of Cyprus or transit through it ("stop list").

[4] Joint competent authority for carrying out checks at entry and exit points of the Republic of Cyprus, at customs precincts and generally within the customs territory, to persons, baggage, goods and means of transport for the detection of trading/transport of goods, materials and technologies whose transfer, import and/or export is prohibited pursuant to Security Council sanctions and European Union restrictive measures.

[5] Joint competent authority for the checking, within its competence, of passing boats and vessels if there is information that they contain items whose supply, sale, transportation, transfer, import or export is prohibited under Security Council sanctions and European Union restrictive measures.

[6] Responsible for the security of commercial aviation.

- Detain goods
- Take representative samples
- Seize goods and documents
- Access documents (including electronic ones)
- Conduct audit control of business records
- Detain and/or arrest any person(s) who is/are found committing or attempting to commit or being in any way concerned in the commission of offences relating to fraudulent evasion of duty or evasion of any prohibition or restriction
- Institute legal proceedings for offences
- Conduct proceedings before the appropriate court

Furthermore, the following means and controls are applied:

- Risk analysis for selection and targeting, customs patrols at ports and airports, enhancement of passenger control, enhancement of cooperation with the Cyprus Police and other local and foreign administrations, cooperation with non-governmental organizations.
- Utilization of the National Information System, as well as of data of international intelligence systems that the Cyprus Department of Customs and Excise has access to.

In the field of merchant shipping and maritime transport, the following measures have been undertaken for the purposes of compliance with the Security Council sanctions and European Union restrictive measures imposed in view of the situation in Yemen.

National shipping legislation

1. The Council of Ministers issued, under section 3 of the Cyprus Ships (Prohibition of Transportation) Laws of 1966 and 1971, prohibition order P.I. 426/2015, which deals with the prohibition of transportation aspect of the sanctions imposed in view of the situation in Yemen, by Security Council resolutions, as well as by European Union instruments.

2. Specifically, prohibition order P.I. 426/2015 implements Security Council resolution 2216 (2015), as well as European Union Council Decision 2014/932/CFSP of 18 December 2014, as amended by Council Decision (CFSP) 2015/882 of 8 June 2015 and Council Regulation (EU) No. 1352/2014 of 18 December 2014, as amended by Council Implementing Regulation (EU) No. 2015/879 of 8 June 2015.

3. In implementing the aforesaid instruments, prohibition order P.I. 426/2015 prohibits the transportation by Cyprus ships of arms and related materiel, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts to or for the benefit of, individuals and entities designated by the Security Council or the Committee established pursuant to resolution 2140 (2014), as set out in the annex to European Union Council Decision 2014/932/CFSP, as well as the transportation by Cyprus ships of armed mercenary personnel to any natural or legal person, entity or body referred above.

Circulars issued by the Director of the Department of Merchant Shipping

Following the adoption by the United Nations and the European Union of the relevant legal instruments, the Director of the Department of Merchant Shipping issued the following circulars, which are currently in force:

1. Department of Merchant Shipping Circular No. 19/2015 outlining the aforementioned prohibitions arising from the relevant United Nations and European Union instruments, informing the shipping industry at the same time of the inspection requirements imposed on Member States in their territories, including their seaports, with respect to suspected cargo, as well as the seizure, disposal and destruction thereof.

2. Department of Merchant Shipping Circular No. 10/2016 informing of the adoption of several prohibition orders, including P.I. 426/2015.

The above-mentioned circulars are available from the Department of Merchant Shipping website.

In conclusion, it should be reiterated that the Republic of Cyprus is committed to the effective implementation of the sanctions regime imposed pursuant to Security Council resolutions 2140 (2014) and 2216 (2015).

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Security Council

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31 October 2017

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Security Council Committee established pursuant to resolution 2140 (2014)

Note verbale dated 16 December 2016 from the Permanent Mission of Italy to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Italy to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 2140 (2014) and has the honour to refer to Security Council resolution 2266 (2016), paragraph 10, in which the Council called upon Member States to report to the Committee on the steps that they had taken to implement the provisions of the resolution effectively.

In that respect, the Permanent Mission of Italy to the United Nations has the honour to submit to the Committee the report of the Government of Italy on the implementation of Security Council resolution 2266 (2016) (see annex).

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Annex to the note verbale dated 16 December 2016 from the Permanent Mission of Italy to the United Nations addressed to the Chair of the Committee

Following the note verbale of the Permanent Mission of Italy to the United Nations, dated 7 July 2015 (S/AC.56/2015/21), concerning the report on the implementation of resolution 2140 (2014), Italy informs the Security Council that resolutions 2140 (2014) and 2216 (2015) are implemented in Italy through the following European Union legislation, fully mandatory and directly applicable:

(a) Council Decision 2014/932/CFSP of 18 December 2014 concerning restrictive measures in view of the situation in Yemen;

(b) Council Decision (CFSP) 2015/882 of 8 June 2015 amending Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen;

(c) Council Implementing Decision (CFSP) 2015/1927 of 26 October 2015 implementing Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen;

(d) Council Implementing Decision (CFSP) 2016/1747 of 29 September 2016 implementing Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen;

(e) Council Regulation (EU) No. 1352/2014 of 18 December 2014 concerning restrictive measures in view of the situation in Yemen;

(f) Council Regulation (EU) 2015/878 of 8 June 2015 amending Regulation (EU) No. 1352/2014 concerning restrictive measures in view of the situation in Yemen;

(g) Council Implementing Regulation (EU) 2015/879 of 8 June 2015 implementing article 15(1) of Regulation (EU) No. 1352/2014 concerning restrictive measures in view of the situation in Yemen;

(h) Council Implementing Regulation (EU) 2015/1920 of 26 October 2015 implementing Regulation (EU) No. 1352/2014 concerning restrictive measures in view of the situation in Yemen;

(i) Council Implementing Regulation (EU) 2016/1737 of 29 September 2016 implementing article 15(3) of Regulation (EU) No. 1352/2014 concerning restrictive measures in view of the situation in Yemen.

Measures to prevent the supply to embargoed countries, and thus to Yemen, of all arms and related materiel are enshrined in Law No. 185/1990, as modified by Legislative Decree No. 105/2012. In particular, article 1(6)(c) forbids the supply of arms to countries upon which a mandatory United Nations embargo is imposed, which is the case for Yemen.